

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ROBIN BLAKE COMBS, SR.,

Plaintiff,

v.

JOSEPH D. LEHMAN, *et al.*,

Defendants,

Case No. C08-5063 RJB/KLS

ORDER DENYING  
PLAINTIFF'S MOTION FOR  
RECONSIDERATION

Before the Court is Plaintiff's motion for reconsideration of this Court's Order (Dkt. # 7) denying Plaintiff's *ex parte* motion to disclose all of Defendants' home addresses to the United States Marshal service for purposes of service. (Dkt. # 9). Plaintiff argues that reconsideration is necessary because the applicable statute of limitations in this action will expire on April 25, 2008. *Id.*

**I. DISCUSSION**

Motions for reconsideration are disfavored and will ordinarily be denied in the "absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to the court's attention earlier with reasonable diligence." Local Rule CR 7(h)(1).

A § 1983 action is commenced in federal court for purposes of the statute of limitations when the complaint is filed. *Sain v. City of Bend*, 309 F.3d 1134 (9<sup>th</sup> Cir. 2000). In addition, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, service of the summons and complaint must be made upon a defendant within 120 days after the filing of the complaint. However, if a plaintiff can show good cause for his failure to serve, the court may extend the time for service. Fed.R.Civ.P. 4(m).

The Court's denial for Plaintiff's *ex parte* request for the disclosure of service addresses was denied as premature *without* prejudice. (Dkt. # 7). In addition, the Court has already directed the United

1 States Marshal to complete service upon the Defendants for whom Plaintiff has submitted service forms  
2 and a courtesy copy of Plaintiff's complaint has been sent to the Washington State Attorney General's  
3 Office. (Dkt. # 8). It is anticipated that after the Attorney General has entered its appearance in this  
4 matter, counsel and Plaintiff may confer on any outstanding service issues.

5 ACCORDINGLY, it is **ORDERED** that Plaintiff's motion for reconsideration (Dkt. # 9) is  
6 **DENIED.**

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8 DATED this 26th day of March, 2008.

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13 Karen L. Strombom  
14 United States Magistrate Judge  
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